

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES

In re Patent Application of

Atty BJS-1721-94
Dkt.

FARDEAU et al.

TC/A.U. 1651

Serial No. 10/538,715

Examiner: Kim

Filed: June 10, 2005

Date: May 13, 2008

Title: BACTERIAL STRAINS OF GENUS EXIGUOBACTERIUM, CULTURE METHOD
AND USES**Attachments:**

- (1) Amendment After Final Rejection; and
- (2) Stackebrandt et al, International Journal of Systematic Bacteriology, Oct. 1994, Vol. 44, No. 4. pp 846-849

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.**Fees are attached as calculated below:**

| | | | |
|--|----|----------------------|--------------------------------|
| Total effective claims after amendment | 3 | minus highest number | |
| previously paid for | 20 | (at least 20) = | 0 x \$50.00 |
| | | | \$0.00 (1202)/\$0.00 (2202) \$ |

| | | | |
|------------------------------------|---|----------------------|--------------------------------|
| Independent claims after amendment | 2 | minus highest number | |
| previously paid for | 3 | (at least 3) = | 0 x \$210.00 |
| | | | \$0.00 (1201)/\$0.00 (2201) \$ |

If proper multiple dependent claims now added for first time, (ignore improper); add
 \$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

| | |
|------------------------|---------------------------------------|
| One Month Extension | \$120.00 (1251)/\$60.00 (2251) |
| Two Month Extensions | \$460.00 (1252)/\$230.00 (2252) |
| Three Month Extensions | \$1050.00 (1253)/\$525.00 (2253) |
| Four Month Extensions | \$1640.00 (1254)/\$820.00 (2254) |
| Five Month Extensions | \$2,230.00 (1255)/\$1115.00 (2255) \$ |

Terminal disclaimer enclosed, add
 \$130.00 (1814)/ \$65.00 (2814) \$

Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee
 \$180.00 (1806) \$ 0.00

Assignment Recording Fee
 \$40.00 (8021) \$ 0.00

Other:
 \$ 0.00

TOTAL FEE \$ 0.00

 CREDIT CARD PAYMENT FORM ATTACHED.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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BJS:pp

NIXON & VANDERHYE P.C.
By Atty: B. J. Sadoff, Reg. No. 36,663

Signature: _____ /B. J. Sadoff/